IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 25609 of 2007(W)

PETITIONERS:

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1. P.PRAVEENCHANDRAN,
   ACCOUNTANT, CALICUT CO-OP.URBAN LTD.NO.1538,
   KALLAI ROAD, KOZHIKODE- 673 002.

2. REJENDRA KUMAR,
   ACCOUNTANT, CALICUT CO-OP. URBAN BANK LTD NO.1538,
   KALLAI ROAD, KOZHIKODE- 673 002.

3. DHARMARAJAN,
   ACCOUNTANT, CALICUT CO-OP.URBAN BANK LTD.NO.1538,
   KALLAI ROAD, KOZHIKODE- 673 002.

BY ADV. SRI.P.N.MOHANAN
SRI.K.RAJESH SUKUMARAN

RESPONDENTS:

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1. STATE OF KERALA REP.BY THE SECRETARY
   TO GOVERNMENT, CO-OPERATION DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CALICUT CO-OP. URBAN BANK LTD.NO.
   1538, KALLAI ROAD, KOZHIKODE- 673 002,
   REP.BY ITS GENERAL MANAGER.

R2 BY SC SRI. DEVAPRASANTH. P.J.
R1 BY GOVT. PLEADER SMT. A.G. ANEETHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.25609 of 2007

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Dated this the 22nd day of August, 2007

JUDGMENT

Petitioners are working as Accountant in the second respondent Bank. According to them they are holding charge of Branch Manager. They are not possessing qualification of graduation, which is an essential qualification for promotion as Manager under the Co-operative Societies Act and the Rules. Petitioners have taken refuge under Rule 181. Under Rule 181 it is open to the Government to exempt the Society from the provisions of the Rule.

2. I heard learned counsel for the second respondent and also learned Government Pleader.

3. I feel that an urgent decision should be taken on Exts.P1 to P3 pending consideration before the Government seeking exemption from possession of qualification of graduation.

There will be a direction to the first respondent to take a decision on Exts.P1 to P3 in accordance with law with opportunity of hearing to all the affected parties within a period of one month from the date of

receipt of a copy of this judgment. It is open to the second respondent Bank to rely on Exts. P4 and P5 series at the time of hearing.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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